THE COURTS.

Argument on the James P. Sinnott Marine Court Appointment

A BREACH AMONG THE RECHABITES

Validity of the Contract for Building the Central Branch Union Pacific Railroad.

IMPORTANT ADMIRALTY DECISION.

The question as to the recognition of the appointment by Governor Tidon of James P. Sinnott as Judge of the Marine Court, to fill the vacancy caused by the death of the late Judge Spaulding, came up for argument yesterday before the Supreme Court, General Term, Chief Justice Davis and Judges Brady and Daniels being on the Bench. Such appointment having been repudiated by the Judges of the Marine Court, on the ground that the advice and consent of the Senate was essential to the appointment, an order was granted in Supreme Court, Chambers, directing the Judges to show cause why a peremptory mandamus should not issue commanding them to recognize Mr. Stinnott and assign him to duty as a Judge of the Court. An appeal was taken from this order pro forma to enable the taken from this order pro forms to enable the tions of law involved in the case to be argued fully the General Term. There was a large crowd in lance, including most of the Judges of the Marine

before the General Term. There was a large crowd in attendance, including most of the Jadges of the Marine Court, as well as Mr. Sinnott and those mutual friends specially interested in the matter. Mr. Edward Jacobs submitted to the Court the return of the Justices of the Marine Court to the writ.

Ex-Judge Fullerton, who appeared on behalf of Mr. Sinnott, opened the argument. He insisted that the commission of Mr. Sinnott, under the seal of the State, being presented to the justices, they could not go behind it; that it behooved them to at once act upon it; that the act regulating the filling of vacancies in the Marine Court arranged for such appointments to be in the aame manner as in the Superior Court, in which vacancies were then filled by the Governor alone; and that subsequent legislation in reference to the Superior Court did not affect the Marine Court. Judge Goepp made the argument on behalf of the Marine Court. He insisted that the writ of mandamus should not be granted, on the grounds that the defendants have acted for the public weal; that the relator has no beneficial interest and no legal right involved in the subject matter; that the power and duty to do what the desired mandamus would require to be done resides not in the justices against whom the proceeding is taken, but, if anywhere, in the Marine Court against whom the proceeding is not taken; that to command a person to recognize a judge and assign him to duty is a command, not to compel the exercise of a ministerial act, but to dictate and control the exercise of a judicial function; that the Supreme Court will not interfere, by mandamus, with the mere details of the practice of a subordinate tribunal; that there is a real and substantial dispute as to the title to the office; that the claim of the relator to the office depends upon the construction of statutes which, if not decisive against him, are ambiguous and difficult of interpretation; that the supposed appointment of the relator is without the force and effect of law; that the just

THE WRECK OF THE RECHABITES. The case of John Lafond et als. vs. Henry W. Deems et als., which is on the calendar of the Supreme Court, Special Term, was called yesterday by Judge Larremore for trial. It promises to be a very interesting and exciting action. In 1842 an association was formed in this country under the trile of "Washington Tent No. pendent Order of Rechabites in North America."
cots were mutual benefit in the exercise of temperance, fortitude and justice, securing to its members
ympathy and relief in times of sickness and distress
and the extension of the principles of total abstinence
rom all intexicating drinks. At the present time the ntiffs, who are three in number, make the other irty-six members defendants in the action and ego that plaintiffs and defendants formed allege that plaintiffs and defendants formed a copartnership in this city under the above name, and that said partnership was to be governed by certain articles, which articles they amen to their complaint; that the association is separate and distinct from any other, and is sovereign in its nature and independent in itself, and does not owe any allegiance to any other body or association; that every member of the order has an equal interest in the moneys paid into the general fund by the members; that in case of a disculution each member is entitled to an equal share of such fund; that such fund now consists of nearly \$5,000; that the same belongs to the members equally, share and share alike; that the plaintiffs were duly elected trustees, and as such have control and management of such fund; that some of the members formed a conspiracy, and, in furtherance members formed a conspiracy, and, in furtherance thereof, served notices on the banks in which the moneys are deposited not to pay any of the same to the plaintiffs, and that by reason of the difficulties and disputes existing among the members the association has lost its objects and aims, and a dissolution is therefore prayed for. A receiver of the property, claims and demands of the said copartnership is asked for, with power to divide the same equalty among the members after the payment of all just debts, and an injunction is also prayed for restraining the defendants from interfering or intermedding with or disposing of the association's debts, moneys, properties or effects. Eleven of the defendants alleged in their answer substantially the same state of facts as alleged in the complaint, and allege that the funds are mostly routs collected from tennats. They pray for the same relief, and ask the equitable powers of the Court that an accounting be had of the property and funds of the partnership; that they receive their share or interest therein, and that they be allowed to withdraw from the organization and organize themselves under such name and rules as they shall deem proper. The other twenty-fire defendants rulso quite a different issue. In their answer they deny that the association is a copartnership, and allege that it is a voluntary association of individuals, pledged to the practice of abstinence from intextcating drinks, and that it is partly benevolent in its character and object and governed by a constitution, general laws, by laws and rules of order, which constitute the articles of association between the members. They deny that all the members have an equal interest in the moneys paid into the ceneral fund of the association, and allege that it is a trust fund for benevolent purposes of the Order and for the payment of its current expenses, and disposable only at the will of the majority. They aver further that the plaintiffs were regularly removed on due notice as trustees, and that they p

CENTRAL BRANCH UNION PACIFIC. are seemingly without end. This time it is the Ce Branch, formerly known as the Atchison and Piac's Peak Railroad, a road of 100 miles in length, starting the setting sun, but at the end of 100 miles coming to a dead stand for the want of further subsidy from the United States government, which they fondly hoped would be granted and enable them to build on and consect with the parent road at or about Fort Kearny.

In Supreme Court, Special Term, yesterday, the off siled suit known as "Tredwell vs. Pomeroy and

sunk in the slip at the foot of Jackson and Gouverneur streets on the 6th of March, 1875, by collision with the Sunny Side. The libellants claim that the tug was backstreets on the 6th of March, 1875, by collision with the Sanny Side. The libellants claim that the tug was backing out of the slip preparatory to coming alongside of a brig at the pier. A dense fog prevailed at the time, and the company answered that they were obliged to keep close to the piers to enable them to make their way, and that had the tug made the customary signals or had not backed beyond the end of the pier the collision would have been avoided. Judge Blatchford says:—"I deem it satisfactorily established that the tug was not, as to any part of her, outside of the end of the Jackson street pier at any time prior to the collision. The testimony of the witness Pearson, on the Martha, is more relevant than that of any of the witnesses on the part of the steamboat, and his evidence, added to that of the other witnesses for the libellant, is controlling on that point. That being so, the tug was entirely out of the way of any course which the Sunny Side was entitled to take or was intending to take, and was without fault. She was in a position which gave to the Granite State. [3 Wailace, 3lo, and the Bridgeport, 14 Id., 116.) The steamboat was proceeding at too great speed in the fog, and manifestly did not know where she was with flecuracy. She was heading in for the piers, but in the fog she headed in at a greater angle than she supposed she was making. It was supposed on board that they were heading for a point outside of the end of the Jackson street pier, while, in fact, at the time she discovered the tug ahead of her, she was heading farther in shore. The result was that she hit the tug when the tug was inside of the end of the Jackson street pier, while, in fact, at the time she discovered the tug ahead of her, she was heading farther in shore. The result was that she hit the tug when the tug was inside of the end of the Jackson street pier. The libellant must have a decree, with a reference, to ascertain the damage sustained by him.

EXONERATING A POLICE SURGEON.

In the New York Common Pleas, General Term, before Chief Justice Dajy and Judges Robinson and Van Brunt, when the case of John C. Brogan against Police Surgeon Powell was called yesterday there was quite a smile among the judges. The action was originally brought in the Fifth District Court, before Judge Campbell, to recover \$20. The plaintiff claimed that he made a contract with Dr. Powell, a police surgeon under the municipal police of this city, to use his influence as such police surgeon to have him passed as a policeman, for which he agreed to pay Dr. Powell \$100, and had paid him on account \$20. In the court below a motion was made to dismiss the complaint, on the ground that such a contract was void as against public policy and sound morals, which motion was denied. The Doctor's story was that he made no such agreement; that as a physician he attended the plaintiff, for which services he charged \$25, and that the \$20 in suit was paid on account. There was no contradiction of this testimony, and yet Judge Campbell rendered a judgment in favor of the plaintiff against the Doctor for \$15 The Court promptly reversed the judgment, stating that there was no principle of law by which the action could be maintained. Messers, George F, and J. C. Julius Langbein for Dr. Powell and Louis Cohen for Mr. Brogan. EXONERATING A POLICE SURGEON

STREMARY OF LAW CASES

Henry M. Fleming, a fugitive from justice on a charge of killing one Pierre Remey, a citizen of Belgium, arrested here and held for extradition, was yes, terday, on the testimony taken before Commissione: White, ordered to be returned to Belgium by the Ex

The suit brought by Francis Staples against Simon Strauss, to recover damages on account of injuries sus-tained from being thrown from his buggy while driving

Strauss, to recover damages on account of injuries sustained from being thrown from his buggy while driving through East Fourteenth street, through colliding with a wagon belonging to the defendant, which was on trial before Judge Van Hoesen, of the Court of Common Pleas, was yesterday brought to a close. A verdict was given for the plaintiff for \$225. Mr. Benjamin F. Russell appeared for the plaintiff, and Messra. Bird and Blair for the defendant.

John Bance, a boy ten years old, by his guardian, brought suit against the New York Transfer Company to recover \$2,500 damages for injuries. The boy, while stopping to look at the Elevated Railway, in Greenwich street, was thrown cown and run over by one of the defendants' wagons. The trial took place yesterday before Judge Sanford, in the Superior Court, and was defended on the ground of contributive negligence. A verdict for \$250 was given for the plaintiff.

Mr. Nelson Smith, the referee appointed to decide what amount of compensation A. H. H. Dawson was entitled to as lawyer for Mrs. Virgnia C. Burke, in her action against fra C. Gardner, has decided that Mr. Dawson is entitled to \$9,299 16; that he was entitled to collect from the Union Trust Company the \$10,453 in bonds deposited with them; that Mr. Dawson has paid to Mrs. Burke \$5,321 70, and that she now owes him for legal services, since 1871, \$4,283 16. This is the case growing out of the suit brought by Mrs. Burke to recover \$60,000 worth of bonds, alleged to have been in possession of Captain Alexander, her father, at the time of his death. The jury found for the tuil amount claimed, but the bonds in the Union Trust Company were all that were recovered.

DECISIONS.

SUPREME COURT-CHAMBERS.

By Judge Lawrence.

Bernboimer and another vs. Willis.—Motion denied, without costs. See Collins vs. Willis.—Motion denied, without costs. See Collins vs. Swan (7 Robt., 94).

The Sun Mutual Insurance Company vs. Hubbell.—Motion granted, without costs, and case set down for the third Friday of this term.

Abrahams vs. Meyer; Astor, &c., vs. McClavo; The Homeopathic Mutual Life Insurance Company; Moller vs. Moller et al. (Nos. 1, 2 and 3).—Judgments granted.

Belden vs. Belden.—Report confirmed and judgment of divorce granted to the plaintiff.

Swanson vs. Harrison.—Motion to place cause on the short calendar granted.

The Vinton County National Bank vs. Jones.—The Instrument presented is not a bond. Not being under seal 1 do not think the surety is sufficient.

Copeland vs. How.—I think the amendments suggested by Mr. Boyd should be allowed.

Simons vs. Simons.—Order granted.

Beocher vs. Starbreck.—Explanation required.

The Homeopathic Mutual Life Insurance Company vs. Rolph; Williams and another vs. Kerwin; Barney vs. Kers : Bruton vs. The Mastor. &c. Avertill vs.

Company.—Granted.

Matter of George A. Brown.—This is properly a Chamber matter. There is no reason why, because I issued the writ, all subsequent proceedings should be before me. The report, having been made since the close of my term in Chambers, should be submitted to the Justice now holding the court.

Whitehead vs. Kennedy.—Both sureties are rejected.

SUPREME COURT-SPECIAL TERM.

By Judge Brady.

Brink and another vs. The Niagara Fire Insurance Company; Brink and another va. The Republic Fire Insurance Company; Brink and another vs. The Germania Fire Insurance Company.—Orders settled.

MABINE COURT-CHAMBERS.

Sammis vs. Young.—A. B. Hough appointed receiver.

Hale vs. Robe; Eraus vs. Canfield; Heywood vs. Brunner.—Motions to advance causes granted.

Cantillion vs. Way.—Receiver appointed. Bull's Head Bank vs. Wetmore.—Order amending pleadings granted.

By Judge Goepp.

McDonald vs. Cavanagh.—Motion to open default granted, as per order signed.

Veirlinges vs. Hermann.—Application denied.

By Judge Sheridan.

Killman vs. Bailey.—Order for receiver granted and an allowance of \$20 granted.

WASHINGTON PLACE POLICE COURT.

Before Judge Otterbourg "BAISING" A CHECK ON THE CHEMICAL NATIONAL BANK.

Henry Moore, alias William McClellan, was yesterds arranged before Justice Otterbourg at the Washington Place Police Court, charged with "raising" a check, drawn by William Topping & Co., on the Chemical National Bank, for \$301 93 to \$1,301 93, by placing a National Bank, for \$391 93 to \$1,391 93, by placing a figure one in front of the figure three. Moore, who it is said has been doing business in this city under the assumed name of McClellan, gave the "raised" check to Simon Levy, of No. 351 East Houston street, in liquidation of a debt of \$57 93 he owed the latter. Mr. Levy handed Moore a genuine check for the amount of his change. When, a short time afterward, he discovered the fraud, he informed Central Office Detectives Forris and Williamson, who, on Toesday afternoon, succeeded in arreating Moore at his residence, No. 1853; Washington street, Hoboken. Moore denied the charge made sgainst him and said that he received the check from a man named William McClelian, who, he said, left this city on Tuesday for Pennsylvania. Justice Otterbourg did not believe his story and committed him for trial in default of \$3,000 bail.

COURT CALENDARS-THIS DAY.

SUPREME COUNT—CHAMBERS—Held by Judge Law-rence,—Noz. 27, 28, 44, 82, 94, 98, 99, 140, 144, 146, 211, 216, 259, 263, 267, 278, 277.

SUPREME COUNT—SPECIAL TERM—Held by Judge Larremore.—Law and fact.—Noz. 93, 284, 173, 174, 230, 399, 375, 421, 423, 393, 182, 409, 192, 131, 146, 235, 294, 195, 112, 311.

90, 112, 311.
SCPRENE COURT—GENERAL TERM—Held by Judges Davis, Brady and Daniels.—Nos. 33, 91, 108, 120, 121, 122, 123, 130, 131, 134, 134½, 135, 19, 20, 21, 38, 4d, 47, 60, 61, 75, 76, 88, 89. were only for delay, and urged in pointed terms the necessity for an immediate trial. An effort was then made to hand in an affidavit that Mr. John E. Parson made to hand in an affidavit that Mr. John E. Parson pretext of one counsel, and that he was engaged, but Judge Larremore said he could not delay the case, first on the prepared to go on this morning, and if Mr. Parsons was engaged they must be prepared with other counsels—that it should be the first on the calendar and must go to trial, and ordered the witnesses then present to be on hand.

DECISION IN A COLLISION CASE.
A decision was rendered yesterday by Judge Blatch-ford, sitting in Admiralty, in the case of George F.
Fownsend against the steamship Suncy Side, of the

COMMON PLRAS EQUITY TREM Held by Judge J. F. Daly. No day calendar.

COURT OF COMMON PLRAS GENERAL TERM Held by Judges C. P. Daly, Robinson and Van Brunt Nos. 75, 76, 171, 172, 173, 175, 176, 177, 178, 179, 181, 182, 35, 37, 59, 85, 86, 88 76. 171. 172. 173. 175. 176. 177. 178. 179. 181. 182. 35. 37, 59. 85. 86. 88.

COURT OF CORMON P.RAS.—TRIAL TERM.—PART 1.—
Held by Judge Van Hoesen.—Nor. 1999. 1534. 1755, 2074. 1622., 1287. 2114. 1751. 2683. 1889. 2079. 1687. 1800. 1612. 2282. 2103. 1880. 1004.5, 1211. Part 2.—
Adjourned until Monday, May 16, 1876. Part 3.—Adjourned of the term.

MARINE COURT.—TRIAL TERM.—Part 1.—Held by Judge Sherndan.—Nor. 7614. 2647, 4158. 4171. 4172. Part 2.—
Held by Judge Goepp.—Nor. 2780. 7265, 599. 3942. 5341. 1810. 3480. 4981. 4082, 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 4084. 6360. 4084. 6360. 6363. 6364. 6360. 6943. 6795. 6817. 6871. 45, 6941. 6969. 6960. 6963. 3862.

COURT OF RENERAL SERSIONS—Held by Recorder Hack—

6058, 3562.
COUNT OF GENERAL SESSIONS—Held by Recorder Hackctt.—The People vs. Faurin Desire, felonious assault
and battery; Same vs. John Hudner, felonious assault
and battery; Same vs. John Nannery, felonious
kelly, grand larceny; Same vs. James Ackernan, grand
larceny; Same vs. Matthew Smith, grand larceny;
Same vs. Julia White, grand larceny; Same vs. Emma
Wilte, grand larceny; Same vs. William Leith and
John K. Parker, grand larceny; Same vs. Jane
Loughlin, grand larceny; Same vs. Louis Strauss,
grand larceny; Same vs. Robert Carroll, forgery.

THE BRESLAU LITIGATION.

Schlier and Thomas Wellwood, as to the title of the land owned and occupied as the "City of Breslau," Long Island. The case was referred to Judges McCue and Reynolds as arbitrators in October, 1875, to hear and determine the case. The judges decide that Abby Wellwood, wife of Thomas Wellwood, is the owner of the land.

DEPARTMENT OF CHARITIES AND CORRECTION.

The quarterly report of the Department of Charities and Correction for the first quarter of the present year has been completed and presented to the city authori-

port 5,260 persons had been committed to the City Prison, 405 of whom were remaining on the 31st of

The Department of Outdoor Poor relieved & 387 fam. ilies during the quarter, giving them 3,1931/4 tons of

From the Medical Examination office in Bellevue Hospital 3,210 persons were sent to the different hos

н	THE CENSUS	
1	of the department is as follows:-	
п	In prisons and Penitentiary	1,516
и	Hospitals	
н	Lunatic Asylum.	
н		
н	Asylum for the Blind	
н		89
т	Idiat Asylum Colored Home and Colored Orphan Asylum	172
н		
и	Inebriate Asylum	8
т	Almshouse	1,221
н	Aimsdouse,	1,221
н	Total	10.017
1	Total	10,211
н	City	
и	Blackwell's Island	5,797
н	Ward's Island	1,196
т	Randail's Island	2,110
1	Hart's Island	
н	School ship (now laid up)	
н	Children at farms	67
ı	Children as intime	01
1	Total	10 917
п	THE EXPENDITURES	Tolare
1	of the department for the quarter were	
1	Salaries\$70	343 97
1	Supplies and support of outdoor poor 234	977 49
п	Danning	241 02

ACTION ON CITY BILLS.

Total.....\$307,582 26

The local statesmen around the City Hall were quit jubilant yesterday when despatches came in from Al-bany announcing the adjournment of the Legislature and defeat of the Green extension and salary bills. Members of the Board of Aldermen assembled in the "Third House," and, while enjoying the fragrant weed, congratulated one another on the fate of the proposed enactments providing for a reduction of their salaries from \$4,000 to \$2,000.

from \$4,000 to \$2,000.

Mayor Wickham was called upon during the day by a number of Tammany officials, who congratulated His Honor upon the successful deal which had been made with republicans to deleat all legislation disadvantageous to the Wigwam in Fourteenth street. Among other politicians who called at the Executive Chamber were Senator John Fox. Messrs. Deliendorf, Peter B. Olney, several of the Aldermen and heads of departments. The Mayor expressed himself much gralified with the turn events have taken at the State capital. Different conclusions, however, were drawn by anti-Tammany men as to the result of this action on the city political situation the coming fall. Some seemed to think that the corrupt Tammany victory would react against its principals and operate in defeating their ticket at this init election.

Tammany men, however, seem to view things in an opposite light. They think success in warding off legislation tending to weaken this side of the house will strengthen their hands for the coming battle.

Comptroller Green's term of office expires on the 8th of November. As the bill extending his term for sixty days has been defeated Mayor Wickham will appoint a successor under the charter. Of course, unless some new political deal is entered into before then by the high contracting parties. Comptroller Green will be compelled to step down and out. It is rumored, however, that a constitutional question may arise as to whether or not Mr. Green's term ends in November.

A meeting of the Board of Aldermen takes place this afternoon, when it is understood that the Mayor will send in his nomination for Police Commissioner. Mr. Sidney P. Nichols will probably be the successful candidate. A park commissioner and thirty-five marshals are also to be designated, but these names, it is stated, will not be sent in to day. Mayor Wickham was called upon during the day b

BOARD OF EDUCATION.

The regular meeting of the Board of Education was held yesterday, President Wood in the chair. The report of the Superintendent of Truancy set forth that the total number of cases investigated during the last two weeks was 922, of which number 684 were not classed as truants, leaving 238 non-attendants, of which 228 had been returned and placed in school and ten 228 had been returned and placed in school and ten committed to the care of the Society for the Reformation of Juvenile Delinquents. A communication was received from Mr. J. J. Thomson, tendering his resignation as one of the trustees of the Third ward, as, having removed his place of residence, he was in doubt whether he should continue in his office.

A report was read relative to the complaint against Miss Emily B. Thomas, of colored Grammar School No. 27, for violating the section in reference to the infliction of corporal punishment. The committee to which the complaint was referred recommended that Miss Thomas be fined five days' pay, and that she be reprimanded by the Board through the clerk.

On motion, the report recommending the expenditure of the sum of \$48,421 for the repairs of Grammar School No. 27, in the Twelfth ward, was adopted.

It was moved that special counsel be appointed to the Board.

The resolution was adopted and the Board adjourned. LIQUOR DEALERS PETITIONING.

Yesterday morning a committee of liquor dealers waited upon the Commissioners of Excise and pre-sented a petition asking that there be but one grade of

sented a petition asking that there be but one grade of license for the retail liquor and beer dealers of this city whether they be engaged in the seiling of liquors, beer, ale or wine, or all, and that the fee be made as much below \$50 as possible.

The petition states:—

First—That by making a uniform license for all retailers there wil be no evading the law by dealers selling liquors not included in their license.

Second—The general depression of business calls for the establishment of the lowest possible rate to be paid for licenses, which rate can be fixed by the Board from \$30 to \$250. \$30 to \$250.

Third—A reduced rate would result in all dealers seeking a license and increase the revenue to the Board.

The Commissioners assured the committee that their perition would receive due consideration, after which the delegation withdrew.

"GUTTER SNIPES."

If the bill posters who lined the curb stones through on the one posters was since the cure stones introuga-out the upper part of the city on Tuesday night with the word "Conscience" will call at the Central Office they will hear of something to their advantage. A recent ordnance by the Board of Aldermen makes "gutter sniping" a misdemeanor, and charges are to be made against the captains of all precincts where the offence was committed for neglect of duty.

HALLORAN COMING TO JUDGMENT.

The sum of \$500 was yesterday placed by order of Mayor Schroeder to the credit of Chief Ellis, of San Francisco, Cal., to defray the expenses of Halloran, the slieged murderer of William Russell, to Brooklyn, where he will be tried. Halloran has been under tadiciment since 1571, when the crime was committed.

NASHVILLE RACES.

SECOND DAY OF THE SPRING MEETING BREAKSMAN AND VANDERBILT THE WINNERS-OIMORE WALES OVER FOR THE MILE AND A

The weather to-day was delightful, far different from that of yesterday, but the track was very beavy and holding, completely doing away with the possibility of fast time. The attendance was good and the racing very satisfactory to the spectators. Three events were announced, but one of the purse races did not fill, and announced, but one of the purse races did not fill, and only two contests took place. The first was the Nash-ville Cup Stakes, dash of two miles and a quarter, and the second a dash of one mile.

NASHVILLE CUP STAKES R. M. Anderson's chestnut colt Breaksman, 4 years; D. McCarty's chestnut golding Wetherby, 4 years; James Davis' chestnut colt Damon, 4 years. Wetherby was the favorite at odds, seiling for as much in some of the pools as all the others combined. Wetherby jumped away with the lead at the fall of the flag, but soon afterward Damon went to the front and led two engths to the stand in 29 seconds, Breaksman second, lengths to the stand in 29 seconds, Breaksman second, Wetherby third. The horses continued in this order around the turs, and as they passed the quarter pole Damon still led two lengths, Breaksman second, about the same distance in front. The time of the half mile was 59% seconds. There was no change of place or gosition down the backstretch or lower turn, and as the horses passed the three-quarter pole, the point where they started the three-quarter pole, the point where they started from, Damon led three lengths, Breaksman second, two lengths in front of Wetherby. The time of the mile was 1:58. The horses kept their positions up the homestretch, and as they passed under the wire Damen led two lengths, with Breaks-man two lengths in front of Wetherby. Time of the

positions up the homestretch, and as they passed under the wire Damon led two lengths, with Breaksman two lengths in front of Wetherby. Time of the mile and a quarter, 2:27. Damon led in the same way around the upper turn and about midway down the backstretch, when both Breaksman and Wetherby made their run at him and they soon passed him. At the half mile pole Wetherby was in the lead and Damon began to fall off. Breaksman, on the contrary, stuck close to Wetherby around the lower turn, and as he approached the three-quarier pole made a successful attack, and swinging into the homestretch they were side and side. A right merry struggle ensued up the homestretch, which terminated by Breaksman winning the race by a short length, Wetherby second, Damon fifty yards behind. Time of the two miles and a quarter, 4:20½. The result was a wonderful disappointment to the talent, who in some instances had backed both Wetherby and Damon.

ONN MLE.

The second race, purse \$150, dash of one mile, had for starters—Levis Jones' brown colt Brown's Asteroid, by Asteroid, dam Gazeile, four years old; Ira Platner's bay colt larry Hart, by Planet, dam Nora, five years old; M. R. Tompkins' bay filly Henricta of the West, by Harry of the West, dam Primatore, four years old, and W. R. Babcock's black horse Vanderbilt, by Vandal, dam Molrose, five years old. Brown's Asteroid was the favorite at even betting over the field, larry Hart second choice, Vanderbilt third, Vanderbilt was first away Asteroid second, Henrietta of the West third, Larry Hart fourth. Going around the turn Asteroid took the lead and was one length in front at the quarier pole, Vanderbilt second, Henrietta of the West third, Larry Hart fourth. Going around the lower turn, but fell off on the homestretch. The struggle between Vanderbilt and Asteroid was very close up to the furlong pole, but there the latter was beaten, and Vanderbilt came home an easy winner by iour lengths in 1:53. Larry Hart tooked on the leaders on the lower turn, but fell off on the homestretch.

POOL SELLING. The pool selling last night on the Nashville races was

	MILE AND A H	ALF DASIL	
8	Kelly's,	Johnson's.	Thomas.
	Camargo 25 30	40 50	25
9	Sue Wynu 12 15	25 30	20
8	L Moore 8 9	12 17	15
3	J. Shepherd 8 10		10
8	T. Malony 5 7	10 13	5
3	Gray Steel 5 7	8 10	
8	ONE AND ONE-RIGH	TH MILE DASH.	
9		Kelly's,	Thomas'.
3	Vanderbilt	30 40	25
9	Field	32 40	20
9	COMBERLAND STAKE	-MILE HEATS.	
1	Kelly's.	Johnson's.	Zhomas.
3	Creedmore 40 30	40 50	25
9	Plenty 15 12	25 20 15 25	20
ı	Bombay 13 11	15 25	15
8	Walmistic 8 6	10 8	10
8	Woodland 8 6	5 5	5
3	Hertzog 8 6	10 10	5
3	PARTIE OF THE PA	No. of Concession, Name of Street, or other Persons, Name of Street, or ot	
á	ROWI	NG.	

UNION COLLEGE TO BE REPRESENTED IN THE INTERCOLLEGIATE REGATTA OF '76-A CREW PREPARING FOR THE STRUGGLE. WEST TROY. May 2, 1876.

In your issue of May 1, incorporated in your resume of the preparations for the rowing season of 1876, under the heading, "The Intercollegiate Regatta," there is an omission with regard to the Union College crew, which the writer, with many other friends of the crew, which the writer, with many other friends of the crew, will be pleased to see corrected. In the article in question no mention is made of the Union crew—its participation in last season's regatta, unfortunately pulling a "plucky last" at the finishing line, or its prospective appearance on Saratoga Lake to compete for a bester position on July 19, 1876. The Rowing Association of Union College determined by a unanimous vote to send a crew to Saratoga Lake, and since that time twelve to ditteen men have been in active training in the college gymnasium, from which the university six have been selected and are now in daily practice on the Mohawk River. The crew will be composed of the best of last year's men, with new material to strengthen the weak points noticed last scanon. The garnet of "Old Union" will be represented in the regatta of 1876 by men full or pluck and with the determination to carry their colors well at the finish.

S. L.

YACHTING NOTE.

SOUTH NORWALK, CODD., May 3, 1876. Rrown Brothers' steam yacht Ibis, Captain Charles Fairchild, of the New York yacht squadron, this morning left the marine railway at Gregory's Point, Norwalk harbor, where she has been overhauled, painted and had her forward works remodelled, and proceeded to Westport harbor, where she will receive her furniture and canvas preparatory to the work of the aummer. Upon either side of the bows of this craft there have been carved, very appropriately, the figure in basso relieve of a Florida lbis in the act of dying.

ATHLETICS.

SECOND MEETING OF THE ATHLETIC ASSOCIA-TION OF THE COLLEGE OF THE CITY OF NEW

The second meeting of the Athletic Association of the College of the City of New York was held yesterday afternoon at the grounds of the New York Athletic Cinb in Mott Haven. There was a tolerably good attendance, mostly college boys and a low ladies, friends of the contestants. The sports were given under the management of the following committee:—
Bernard Loth, '77; W. H. Kenyon, '76; V. M. Davis, '76; H. S. Rajel, '76, and T. A. Barratt, '77. Mr. D. M. Stern, of the New York Athletic Club, officiated as starter and ompire. The sport commenced at half-past one, with a 100 yard race that brought out six starters, and was eventually won by H. Lauterbach in 11 seconds. Mr. Hoag made a close second. The next event, a three-mile walk, brought six men to the post and the medal was carried off by W. M. Watson in 26m. 20s. C. E. Mannors linished second in 27m. 28s. Mr. Watson walked remarkably well and showed a style that could only have been obtained by steady work and practice. The standing board jump was won by Mr. W. L. Ormsby attendance, mostly college boys and a low ladies,

clearing nine feet two inches, and the quarter of a mile fell to Mr. S. W. Hoag, beating a field of three others; time, 64 3-5 seconds. T. F. Green finished second. In the one hundred yards hop Mr. Monroe was successful in 19 seconds, and Mr. E. W. Knickerbocker won the running high jump, clearing 4 feet 6 inches. The half-mile run brought out six starters and was won very prettily by Mr. E. Oudin in 2m. 28 3-5s; Mr. Loth finished second. The running broad jump was carried off by E. Moore, clearing 14 feet 7 inches, and beating Messrs. Barratt and Hutchinson. The one-mile walk proved a very easy victory for Mr. W. M. Watson, who made the distance, without distressing himsell, in 8m. 17s. beating Messrs. L. M. Storer, H. S. Seldner, F. S. Wilhams and G. W. Lynch. The next event, a one mile run, open to all amsteurs, proved a close contest between Messrs. C. A. Manoney and B. C. Williams, both of the New York Athletic Club; but the former succeeded in breasting the tape about half a second ahead, Mahoney's time was 5-15. The sports concluded with a medley race, fifty yards hop, 109 yards walk, 109 yards run and 109 yards over ten hurdles. Mr. S. W. Hoag came in first and Mr. O. M. Monroe second.

THE NATIONAL GAME.

Three important games were played out of town yesterday, and in each the favorite was defeated. At Hartford the Hartford nine met the New Havens, who vanquished them in two innings, as the following score

1xt, 24. 3d, 4th. 5th. 6th. 7th. 8th. 9th. BASE BALL NOTES.

The Arlingtons defeated a picked nine on the Union

grounds yesterday, the score being 19 to I.
To-morrow the Mutuals play the Hartfords at
Brooklyn. CRICKET.

The cricket season was inaugurated yesterday by match between the members of the St. George's Club on their grounds at Hoboken. Owing to the threatening weather the number of speciators was not large, but those who were present greatly enjoyed the game.

THE GOSS-ALLEN FIGHT.

The \$500 deposited by Joe Goss in the bands of Eph. Holland, of Cincinnati, to make a match to fight Tom Allen, of St. Louis, for the championship of this coun-try and a purse of from \$1,000 to \$5,000, was yesterday try and a purse of from \$1,000 to \$5,000, was yesterday covered by Allen. Last night Goss received a telegram from Holland, who has been appointed stakeholder, just as he was going on to spar with Jem Mace, in Howes and Cushing's circus. The telegram stated that the 12th of this month had been settled on as the day on which the arrangements as to the time and place when the fight will come off will be made. The amount of the stake will also be decided on.

LOSS OF A NEW YORK PACKET.

News was received in this city yesterday that the large American ship reported ashore on Sable Island, situated ninety miles to the eastward of the Nova Sco-tia coast, was the well known Black Ball packet Neptune, of New York, belonging to Messrs. C. H. Marshall & Co., of this city, and commanded by Captain J. H. Spencer. When seen she had all salls set and was apaprently deserted. The despatch states that the captain, his wife, four children and a nurse had been at sea four days before being rescued. The crew are all safe at Sable Island.

Last evening a Herald reported called on Messrs. C. H. Marshall & Co., the owners of the lost vessel, and Mr. Marshall, Jr., made the following report:-"We have not yet received the manifest of the Neptune, Mr. Marshall, Jr., made the following report:—"We have not yet received the manifest of the Neptune, and have telegraphed to Liverpool for a duplicate. Her cargo, according to the stowage account, was 649 casks soda ash, 100 metal drums caustic soda, 4,000 secks sait, 396 casks bleaching powder, 239 bales rags, 181 bags sizing, 287 crates earthenware, 100 boxes sauce, 50 bales cork wood, 300 barrels beer and tinger ale, 10 casks earthenware, 1,100 boxes bath brick. In the lower hold were 803 tons, in the lower between deaks 421 tons, in the upper between decks 171 tons, and, in addition to this, 255 tons of measurement goods. We received none of this cargo ourselves, and shall not know for twelve days or so who the consignees are, till we receive documents from the other site. The Noptune has been a very lucky vessel hitherto. In 1851 she was, however, totally dismasted off the Jersey coast, and we sent a tug out for her, which towed her in to New York. She has had only two captains, namely, Captain Peabody, who commander, J. H. Spencer, of Brooklyn. He is a South Carolinian, and was formerly a mate in our line, and before this in the employ of E. Morgan & Sons, and traded between Oregon and other points on the Pacific coast. There were, I suppose, including officers and men, about thirty-five souis on the Neptune. She was worth about \$60,000, and insured in the Atlantic, New York and Great Western insurance companies. She was one of the best built ships in this port, but we believe that on that scene of numerous shipwrecks and melanchely loss of life—Sable Island—she cannot fail soon to go to pieces. The island is low and aandy, and about twentyon that scene of numerous shipwrecks and melancholy loss of life—Sable Island—she cannot fall soon to go to pieces. The island is low and asidy, and about twenty-five miles long by a mile and a half in breadth, and is covered with stunted grass. A company of men are placed on the island with provisions and necessaries for shipwrecked mariners.

The Neptune was of 1,630 tons and built in this city in 1855. The following were her principal proportions:—Length, 185 feet; breadth of beam, 42 feet; hepth of hold, 28 feet. She left San Francisco for Liverpool on September 15 and Liverpool on March 2. She was metalled in November, 1874.

STEAMER GOETHE DISABLED.

Yesterday the Hamburg Steamship Company re-tered a list of cabin and steerage passengers on board their steamer Goethe, which was seen by the Amérique, of the French line, in mid ocean, on the 24th of April, with loss of propeller, standing to the castward under tude 46 deg. 19 min. north, longitude 36 deg. west. The agents expect that news will soon be received of her ar-rival at Queenstown or Plymouth. The Goethe has about 456 passengers on board, viz.:—400 from Hamburg and 56 (til Swiss) from Havre, which latter port about 455 passengers on coard, viz.:—400 from hamburg and 56 (all Swiss) from Havre, which latter port she ielt on the 18th of April. She is provisioned for a six weeks' voyage. Among the passengers are several Centennial Commissioners and likewise a quantity of goods from Austria for the Centennial Exhibition.

The following are the cabin passengers:—Robert Lanesmann, Prague; Aug. Peters, St. Petersburg; Ciara Honigman, Saarbrucken; Emanuel Aeschimmann, Moscow; A. von Kenkanethy, Pesth; Mr. Toner, Peth; Mr. Goodechen, Russia; Jacob Fischer, Pesth; Chr. Beuck and wife, Prussia; Dr. Frederick Keller, Pittsburg, Pa.; Frederick Huhl, Hessen; A. Claussen, Prussia; Charles Köm and wife, Prussia; Maria Rath, Prussia; Saurin Adler, Austria; Charles White, Boston; John Lerchgessber, New York; Ewaid Schmidt, New York; Fellx Wendel, Saxony; Ludwig Helbing, San Francisco; Lazar Schwarz, Hungary; Francis Fraps, Springheld; Max Haensel, Saxony; Jacob Hartvig, Denmark; N. C. Golstrup, Bath; L. R. Cohen, Frankfort-on-tne Main; John Baumgarten, Carl Schuchmann and P. Schuck, of Belleville; Mrs. Tuchbrandt and child, of New York.

Among the steerage passengers are Marie Brandenburg, of Hackensack, N. J.; Ricke Mathessen and child, of Hoboken, N. J.; Ernest Hutsteiner, wife and son, and Otto Wahlstadt, of New York. The majority of the passengers in the steerage are Prussians.

THE LOST FOUND.

Mr. John Corrin, of Jersey City, who has been missing since last Friday, was found yesterday. He left his house in Montgomery street Friday evening to attend a meeting of the Masonic Lodge, but it was found that he did not go there. He was High Priest of Mount Vernon Chapter of Royal Arch Masons, a Knight Templar, and a member of the Bergen Lodge. All efforts to find him were without success, and his friends began to despair of ever seeing him again, supposing that some intal accident had befailed him. Some acquantances of Mr. Corrin yesterday reconsized him in Ealtimore. It is said that while suffering from acute mania he left Jersey City and took the train for Baltimore without informing any of his friends. The fact of his appearance in Baltimore was at once telegraphed to his family. Last night he was on his return home. Mr. John Corrin, of Jersey City, who has been miss

A MISSING MAN.

Mr. John McCarthy, aged thirty-four, five feet nine inches high, has been missing from his home in South street, New York, since the 28th. When last seen, on the day named, he was standing on the Cunard dock, in Jersey City.

ACCIDENTS.

While hanging out clothes yesterday Theresa Abrains, aged thirteen, fell from the third story win-dow of her residence, No. 105 Lewis street, and was

seriously injured.
Sarah Cranchal, aged twelve, of No. 174 Suffolk street, was budly burned by her clothes taking fire. Sent to Bellevue Hospital.
Frank Gunther, aged twenty-one, of No. 77 East Eighth street, had his arm caught in a planing machine at the cabinet factory, No. 112 Elizabeth street, and badly lacerated. Taken to Bellevue Hospital.

MUSTANGS.

A Pacific Coast Corral in a Jersey Meadow.

WILD STEEDS AND COMPANION CENTAURS.

The Coming Three-Hundred-Mile Race Against Time.

Yesterday morning a Harald reporter, after infinite trouble, came upon the places where the mustangs to be used in the coming 300-mile race against time are being trained. A five mile ride out of Jersey City brought him to the place, the rear of a fitteenth rate hotel, where the thirty-six mustangs are kept, some in sheday others, and the greater portion of them, in the open air, tied to sences or racks. The ground of the corral was covered with hay and the animals were cating greedily.

The beasts are of the real California stock, rough clad, clean limbed, and with fine, intelligent heads and wild eyes, over which their manes straggle. Their tails, which, according to the account of their keepers, swept the ground when they left the Pacific coast, are now short to a degree in consequence of the long rail-way journeys without food or water, when the animals were reduced to chewing one another's hair. In general build they are notably fine, sithough the ugliest looking members of the drove are considered the best for speed—a new version of

THE UGLY DUCK.

Upon the reporter's arrival the animals were just Upon the reporter's arrival the animals were just being ranged for exercise, and the scene presented was as unique as it was interesting. With dilating nostrils, bloodshot eyes and nervous limbs, the mustangs were shooting about the corral, neighing and pawing the ground in their fright, while the three ranchmen, mounted on already broken steeds, prepared to lasse such of the drove as suited their fancy. The scene was a wild one, and it is no wonder that the country boys on the other side of the stant fonce drew back whenon the other side of the stout fence drew back when

The mustargs, which up to their arrival here quite wild, are being broken in by threes, one of the horsemen at present on hand assuming each day the care of one of the recalcitrant equipes. As yet about a dozen have been ridden several times, but the major part only once. Next week the practice of riding them blindfold against a wall, in order to teach them the art of stopping at a touch of the rein, is to be inaugurated. At present the only task has been that of accustoming them gradually to the saddle. All the exercises are gone through with under California suddles, Spanish bits and long stirrups. These articles will be used on

cises is an abandoned race track.

Two of the riders are of Eastern birth, but have lived in California since they were children. The third is a native of California. The feats of horsemanship they perform are magnificent. Managing their animals with consummate skill, riding like portions of the beasta themselves, their presence when mounted is truly re-markable. They use the lasse with wondrous skill and mount running horses at a bound, Either of these riders is prepared to mount for the 300-mile race in case
the jockey, who has not yet arrived from San Francisco,
does not arrive; and, men of nervo and iron as
they are, there can be no doubt of their adaptability

other ass. Their enter incentive, as will hereafter appear, is the prize they take in their native stock, and such impressed among the mustangs are those known as Caino, Sorrel, Old Blue, Pia Blanca and Indian. China is a white, with a peculiar woolly coad that renders him especially distinguishable. Sorrel is a magnificent specimen of herseffesh and the especial favorue of the owner of the stud. Old Blue is an irrog gray mustang, well broken and of fine speed. Pis Blanca is, is its name implies, a hybrid plebald, ugly, rough, tough and victous. Indian is a roan, quiet in appearance, but the nost devilish and mischlevous of the drove. All of these are capable of magnificent time under men who can ride them, and the sight that the reporter saw of them speeding down a sandy Jersey road, neighing, whimping, screaming with wrath, was one never to be lorgotten.

Most of the animals are scurred with marks of their long journey, but, like the trapper in the dime novel, they have "mighty healin" flesh," and the wounds are rapidly skinning over. Out of all the drove only one landed here lame, and he was so on account of having infient from the gangway in descending from the cars into the stocky and at Chicago. The ugliest member of the drove is El Negro, a black stallion, with a hanging lip and the most dejected air conceivable; yet El Negro is the best speeder among the whole.

"What do you think of the chances of this race, Budd?" asked the reporter of one of the jockeys yesterday.

"I think it's the biggest thing you folks here East

tored."
"You think the stock can do it, then?"
"Do it?" (scornfully). "Do you see Old Blue thar?
He's my hoss, an' I'm willin' to bet him agin t'hole
world thet the thing's goin' to carry through. Look

"You think the stock can do it, then?"

"Do it?" (seconfully). "Do you see Old Blue than? He's my hosa, an' I'm willin' to bet him agin t'hole world that the thing's goin' to carry through. Lood yere, Mr. Herald man, this yer scheme is a hones: protest out'n our California hearts agin the talk you feliers East make agin our stock We've jest got the best bosses in the world out on the slope, and s'long as I've got a red cent I'm going to go it on 'em. D'y want ter bet? Humph!"

FURDERS OF THE RACE.

The history of the inception of this race against time is in itself very romantic. An old "Forty-niner," at is in itself very romantic. An old "Forty-niner," at is in itself very romantic. An old "Forty-niner," at is in itself very romantic. An old "Forty-niner," at the Jifth Avonue Rotel on the 18th of March. The postprandial talk ran to blooded horses and leaks of endurance. The gentleman to the lost of the sunny P-cinc slope causally remarked, "You can talk about your Eastern horses as much as you please; our Mexican mustangs never tire. I have driven two ponies to a road wagon 4,000 miles in lour months, and I guarantee to bring horses on East here that in thirty relays or thereabout, with one rider, can ran 300 miles across country or on a track in filteen hours.

"I'will bet you \$25,000 to \$15,000 that it can't be done," said the New Yorker.

The bet was taken, the contract drawn on the end of March, and the same day witinessed the Forty-niner's departure for California to procure his mustangs. The track over which the race is to be run has not as yellocated to the same day with the Heraldo Proyent and the same day withered in Jersey City on April 18. I here are thirty-six of them—ugly, uncouth write hear, as has been said be fore, but auch as may snatch a plume from the proud crest of high seeding and shedow the great name of blooded stock.

In linal conversation with the Heraldo reporter in rogard to the arrivals their owner said:—The ponies were bought at Visalia, Cal., and arrived in Jersey City on April 18

A CHARLESTON LADIES' FLAG.

Yesterday a very beautiful flag was, exhibited on the floor of the New York Stock Exchange, a gift to that bedy by the ladies of Charleston in memory of the visit of the "Old Guard" to their city some time since. It appears the New York brokers contributed liberally to the success of the Guard's visit, and the flag in question was a gage d'amitie from the fair of Charleston in return. The material of which it is composed is satin—one side white, the other blue; on the white ground a palmette tree is exquisitely embroidered, and on the other the legend "Dumepiro spece." It was the object of much admiration during the whole day, and many a young broker expressed a desire to personally thank the tail ladies of Charleston, who land so gracefully remembered the members of the New York—Stock Exchange. It will thus, no doubt, be delended by both the young and "Old Guard" for all time.